

Chairperson Lita Sweitzer called the regular meeting to order at 6:30 p.m. All Planning Commissioners were present: Gerald Roberts, Paul Atchley, Tish Oelke, Bill Raley, Jeni Hukle and Guy Pfalzgraff. Glen Black, Director of Community Development and James Shoopman, City Planner also attended.

**Citizen's Comments**

There were none.

**Park Ridge II –PUD Sketch Plan located at 1043 E. 9<sup>th</sup> Street: Owner Lloyd Rodriguez represented by: Hiram Reyes, Aibonito Design, LLC.**

Chairperson Sweitzer opened the public meeting and requested staff report.

Commissioner Bill Raley recused himself from this issue; currently owning property directly adjacent to this parcel.

James Shoopman, Delta's new city planner, introduced himself and presented the project proposal, zoning regulations, sketch plan requirements, PUD sketch plan requirements, required improvements, dedications, minimum design standards, and staff recommendations.

**Staff Recommendations:**

*James expressed concern over three main issues: offsite improvement, specifically 9<sup>th</sup> Street east of B Road, off-street parking & driveway access, and meeting the intent of parks' requirements.*

*Staff recommends **approval** of the sketch plan **contingent** upon the following staff recommendations:*

- 1. Discussed street improvements.*
- 2. Access criteria discussed.*
- 3. A detailed park plan that **satisfies the intent** of the per-unit parkland dedication requirement (3.025 acres) or PILP (\$145,563) requirement as discussed. Careful consideration should be given to justifying deviation from park/open space requirements.*
- 4. Utility requirements listed.*
- 5. The developer will need to provide a detailed drainage report with engineered design of storm drain and detailed plans for the existing ditch, as discussed.*
- 6. Parking requirements discussed.*
- 7. Any additional requirements that Planning Commission stipulates.*

Mr. Shoopman and Mr. Black discussed and clarified various requirements, regulations, and codes that pertained to issues that were a concern with Planning Commission.

Chairperson Sweitzer requested the presentation from the applicant.

Hiram Reyes, Aibonito Design, LLC., 2764 Compass Drive, Grand Junction represented Lloyd Rodriguez . Mr. Reyes stated that they mostly agreed with staff's recommendations. Clarified agreement issues: offsite improvements that were discussed prior and they are in the process of hiring someone to do a traffic study to determine what exactly is needed and if improvements need to be done at this time or a later date. They anticipated the need to improve 9<sup>th</sup> Street east of B Street, and also altering the South end of Riley Lane.

Mr. Reyes then presented a revised sketch plan showing widened access points suggested by staff with limited access points on 9<sup>th</sup> Street. He discussed the possibility of changing block 3 by rotating the units. These changes would require them to alter their plans for that lot. The setbacks are currently 30 + feet more than what is required for turning. So there is enough mobility to turn. They also discussed the possibility of using speed bumps in order to control the flow of traffic.

Mr. Reyes considered the proposed landscaped areas as open space. Orange lines were used to show a trail system. They would be willing to install sidewalk at this point and continue it as it grows. They will be happy to meet the requirements of open space, in the event that they can't they will pay the PILP to meet the intent of the parks' requirements. They assume that the proposed trail system will be usable by all residents. They do not feel a playground is necessary because of the nearby school. Other possible ideas will be presented to staff.

Commissioner Roberts asked if the diameter of the required cul'desac was shown on the plans.

Mr. Shoopman replied that the one required at the east end of 9<sup>th</sup> Street was not presented on the plans.

Mr. Black clarified the location of the cul'desac on the plans.

Commissioner Roberts expressed concern about the sketch plan and the possibility of it not providing enough street parking.

Gayle Shull, 718 Nevue Street, expressed concern for the road extension and pavement replacement. She questioned who was responsible for the replacement. Her concern originated from a development 10 years previously that was left with an unfinished curb and sidewalk. She then requested that they fix the sidewalk, curb and also build a fence around the existing mobile unit within. Her final concerns were with the water detention and mosquitoes.

Hiram stated that there are 5 Filings and they approximated 4 years for completion.

Mr. Black clarified that the mobile home was occupied and existed prior to zoning and is allowed to stay in its present position.

Keith Lucy, 717 Renae Street, stated indication of a tail water ditch. He questioned if the ditch could be directed into a pond. He asked if the pond would be seeded and if so, what kind of grass?

Hiram stated they will need engineered plans before they will know such details.

Mr. Black reminded everyone that this is only a first phase sketch plan which is basically an overview. Later they will be required to have engineered details on the preliminary plat.

Page, 719 Renae Street, was concerned for her basement, built in 1976, that it might have a greater possibility of flooding if there is nearby detained water. She also expressed her concern for mosquito control.

Hiram stated he had not yet acquired an engineer to provide water details.

Ron Bell, 1230 E. 7<sup>th</sup> Street, stated that he distributed a letter within the packet. Mr. Bell is hoping that Mr. Rodriguez will establish the right of way toward the east end of 9<sup>th</sup> Street to provide access to his property. He's planning to subdivide his property in the future. He also wanted to encouraged a ditch lining to be installed when excavating. He also requested that the developer take responsibility of their trash.

Alan Williams, 8284 Hatchery Road, Hotchkiss, owns a parcel immediately north of block 3. He requested that Renae Street end in a cul'desac. He also appreciated the open space ideas.

Commissioner Roberts addressed the existing modular home (located on block 2 of the sketch plan) and recommended moving or removing the mobile home.

Jose Gallegos, 1055 E. 9<sup>th</sup> Street, owns the modular home in question. He stated that he has plans of improving the looks of the modular home.

Mr. Black clarified where to find requirements for PUDs in the codebook.

Chairperson Sweitzer closed the public meeting and asked for planning commissioners' recommendations.

Commissioner Hukle wanted to remind everyone that the applicant was more than willing to work with the City, the residents of the surrounding area, and the recommendations of staff.

Commissioner Pfalzgraff agreed with the moving of the modular as it is out of character with the PUD.

Commissioner Roberts questioned how the modular home could be changed to be compatible with the new development.

Chairperson Sweitzer reminded everyone that planned unit development means an area of land controlled by one or more land owners to be developed under unified control or a unified plan of development for a number of dwelling units

commercial, educational, recreational, or industrial uses or any combination of the forgoing the plan for which does not correspond with lot size, or type of use, density, lot coverage ect.

Chairperson Sweitzer then stated how the modular home was allowed to be slightly different.

Commissioner Roberts suggests asking for changes.

Chairperson Sweitzer suggests resolving the differentia before the preliminary.

Mr. Black stated that part of the flexibility of a PUD is to put architectural standards on them. Code requires that commercial development look the same.

Commissioner Roberts once again stated recommendation for change of the mobile home within the PUD.

Commissioner Hukle motioned to approve the sketch plan contingent upon the following staff recommendations noted in the staff report.

Commissioner Roberts seconded the motion with the exception of the public concerns being included.

All were in favor and the motion was carried.

#### **Initial Zoning of Oak Tree No. 9: 802, 808, & 810 1525 Road**

Chairperson Sweitzer opened the public hearing and asked for staff report and recommendations.

Mr. Black reminded everyone that this subject was previously heard and tabled at the January 8<sup>th</sup> meeting. He stated that Josh Bailey requested his property be zoned as B-3 to allow him to build rental storage sheds. Initially, staff had recommended A-1 as the zoning. Oak Tree No. 9 currently contains three parcels; two of the three parcels currently contain businesses. Connie Rosengreen, 810 1525 Road, also had requested B-3 zoning for her property. Mr. Black also stated that a petition from neighboring property owners who were opposed to the business zoning request was submitted to the Planning Commission.

Chairperson Sweitzer reminded everyone that when doing an initial zoning the planning commission is only to consider the influence of the health, safety and welfare when considering initial zoning.

Mr. Black then stated that all items of concern should be addressed.

Chairman Sweitzer reminded everyone that any decision that the planning commission makes will only be a recommendation and is not final and that they are only considering code factors along with public commentary in order to provide City Council with a recommendation. City Council will then be making the decision. She reminded the public that they were welcome to express concerns at Council's meeting as well.

Mr. Black then gave a brief overview of the B-3 zoning description.

Josh Bailey, 808 1525 Road, recognized neighboring concerns and assured that he has no plans for any other type of development other than the original storage units. He then submitted a page of signatures upon his behalf. He didn't go North. He did acquire signatures from Stone Mountain Village. Robin Russell noted that she changed her mind from signing the other petition. Josh expressed concern that his ideas were being sold incorrectly. He then pointed out that the last signature on the petition against, P. Chavez, 789 Barstow St. stated that she would have signed Mr. Bailey's petition as well. It was presented to her as "here, sign this." The last signature on Mr. Bailey's petition was approached on Super Bowl Sunday, and did not sign the opposing petition and said that the people pushing the petition were upset with him for not signing. Josh Bailey finally stated that he was trying to be honest and upfront with everyone. Though, he cannot promise anyone anything.

Chairperson Sweitzer discussed the size requirements of storage units within B-2 zoning.

Daniel Erikson, 819 1525 Road, has been a neighbor for 5 years. Mr. Erikson expressed concern about Mr. Bailey's statement of no promises. Mr. Erikson also expressed not wanting any commercial businesses or spot zoning in the neighborhood.

Dee Denison, 809 1525 Road, expressed concern for: traffic, animals, mental health, and peace and quiet. She also expressed that she wants the area to remain A-1 zoning.

Karen Basher stated 1525 Road was a dead end road and suggested not to create more traffic.

Chairperson Sweitzer asked for new comments.

Beverly Good, 825 1525 Road, expressed her concern for safety while she is walking due to her loss of hearing.

Chairperson Sweitzer closed the public hearing and asked for commissioner recommendations.

Commissioner Roberts affirmed Josh's not being able to make promises, and believed business zoning to be a bad move.

Commissioner Oelke agreed.

Commissioner Hukle reaffirmed that spot zoning was non beneficial in several aspects.

Commissioner Raley stated that we should recognize that the area will be growing and futuristically it will reach a point when it won't be spot zoned.

Commissioner Pfalzgraff stated that business growth did not necessarily have to be there and also that business zoning did not seem to fit in.

Commissioner Roberts motioned to approve staff recommendations of A-1 initial zoning.

Commissioner Pfalzgraff seconded the motion.

All were in favor and the motion carried.

**Initial Zoning of Oak Tree Addition Nos. 2, 5, 7, 13, 14, 15, and 16.**

**Oak Tree Addition No. 2: 1484 Hwy. 50, 1475 Hwy. 50, adjacent to 1491 Hwy. 50, adjacent to 1475 Hwy. 50, east of 1475 Hwy. 50, & adjacent to 1491 north 1475**

Chairperson Sweitzer opened the public hearing.

**Staff Recommendations:**

*Staff recommends A-1 zoning for 1484 Highway 50. The other parcels to the north B-3 zoning.*

Doug Jones, owns the property of subject. He would like to keep it zoned B-3 as it has been.

Chairperson Sweitzer closed the public hearing.

Commissioner Hukle motioned to approve staff recommendations.

Commissioner Atchley seconded the motion.

All were in favor and the motion carried.

**Oak Tree Addition No. 5 808 1575 Road**

Chairperson Sweitzer opened the public hearing.

**Staff Recommendations:**

**Oak Tree Addition No. 5 808 1575 Road**

*Staff recommends A-1 zoning.*

No public comment on Oak Tree Addition No. 5.

Chairperson Sweitzer closed the public hearing.

Commissioner Roberts motioned to approve staff recommendations.

Chairperson Sweitzer seconded the motion.

All were in favor and the motion carried.

**Oak Tree Addition No. 7 733/735 1575 Road & 745 1575 Road**

Chairperson Sweitzer opened the public hearing.

**Staff Recommendations:**

*Staff recommends R1-A zoning.*

No public comment on Oak Tree Addition No. 7.

Chairperson Sweitzer closed the public hearing.

Commissioner Pfalzgraff motioned to approve staff recommendations.

Commissioner Hukle seconded the motion.

All were in favor and the motion carried.

**Oak Tree Addition No. 13 777 1575 Road**

Chairperson Sweitzer opened the public hearing.

**Staff Recommendations:**

*Staff recommends A-1 zoning.*

No public comment on Oak Tree Addition No. 13.

Chairperson Sweitzer closed the public hearing.

Commissioner Hukle motioned to approve staff recommendations.

Commissioner Roberts seconded the motion.

All were in favor and the motion carried.

**Oak Tree Addition No. 14 762, 763, 767, & 770 1575 Road**

Chairperson Sweitzer opened the public hearing.

**Staff Recommendations:**

*Staff recommends A-1 zoning.*

No public comment on Oak Tree Addition No. 14.

Chairperson Sweitzer closed the public hearing.

Commissioner Roberts motioned to approve staff recommendations.

Commissioner Raley seconded the motion.

All were in favor and the motion carried.

**Oak Tree Addition No. 15 778 & 783 1575 Road**

Chairperson Sweitzer opened the public hearing.

**Staff Recommendations:**

*Staff recommends A-1 zoning.*

Wayne Head, 783 1575 Road, stated that he never received notice through the mail that he had been annexed.

Mr. Black reminded that enclaves that have been within the city limits for over 3 years don't have to be noticed by state statute when annexed.

Mr. Head stated that he would like to purchase a sewer tap, would like to purchase a sewer tap at the original price and would like to do it within 15 mos. –2 years.

Chairperson Sweitzer closed the public hearing.

Commissioner Roberts motioned to approve staff recommendations.

Commissioner Pfalzgraff seconded the motion.

All were in favor and the motion carried.

**Oak Tree Addition No. 16 786/784/788, 789, & 791 1575 Road**

Chairperson Sweitzer opened the public hearing.

**Staff Recommendations:**

*Staff recommends A-1 zoning.*

No public comment on Oak Tree Addition No. 16.

Chairperson Sweitzer closed the public hearing.

Commissioner Pfalzgraff motioned to approve staff recommendations.

Commissioner Raley seconded the motion.

All were in favor and the motion carried.

**Minutes**

Planning Commissioner Hukle motioned for the approval of minutes of the January 8<sup>th</sup> Regular Meeting. Commissioner Roberts seconded the motion. All were in favor and the motion carried.

**Commissioner Comments**

Commissioner Raley positively reinforced the commission's routine of addressing enclaves.

Commissioner Oelke stated that she is feeling more comfortable.

Commissioner Atchley announced his resigning as a result of moving from city limits.

Chairperson Sweitzer also announced her term would be up in April and that she would not be returning due to a busy schedule at graduate school.

**Staff Comments**

Mr. Black affirmed that the newly open positions would be announced. Mr. Black then introduced James Shoopman as Community Development's new planner. Mr. Black also informed the commission of the new technical equipment to be presented at next month's meeting.

The meeting adjourned at 9:51 p.m.

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Lee A. Barber, Executive Secretary